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Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

Report of the President of the Council on consultations held with the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

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I. Introduction

1. At its substantive session of 2004, the Economic and Social Council adopted resolution 2004/53 of 23 July 2004 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations, in which it requested the President of the Council to continue to maintain close contact with the Chairman of the Special Committee on the Situation with regard to the implementation of the Declaration of the Granting of Independence to Colonial Countries and Peoples on the matters contained in that resolution and to report thereon to the Council.

2. In its resolution 59/129 of 10 December 2004, the General Assembly requested the specialized agencies and other organizations of the United Nations system and international and regional organizations to examine and review conditions in each Non-Self-Governing Territory so as to take appropriate measures to accelerate progress in the economic and social sectors of the Territories. In the same resolution, the Assembly requested the Economic and Social Council, in consultation with the Special Committee, to consider appropriate measures for the coordination of the policies and activities of the specialized agencies and other organizations of the United Nations system in implementing the relevant resolutions of the General Assembly.

3. The present report has been prepared on the basis of my consultations with the Chairman of the Special Committee and information provided by the United Nations programmes and the specialized agencies on their work in assisting Non-Self-Governing Territories. In this connection, the information contained in the present report complements the report of the Secretary-General on the review and appraisal of the implementation of the Plan of Action of the Second International Decade for the Eradication of Colonialism.

4. On 4 May 2005, I held consultations with the Chairman of the Special Committee, Ambassador Julian Hunte (Saint Lucia) and members of the Bureau of the Special Committee, Ambassador Orlando Requeijo Gual (Cuba), Ambassador Fayssal Mekdad (Syrian Arab Republic) and Counsellor Luc Joseph Okio (Congo). The Chairman of the Special Committee recalled that 2005 was the year of the midterm review of the implementation of the Plan of Action of the Second International Decade for the Eradication of Colonialism. It was crucial that the United Nations redouble its efforts to accelerate the decolonization process in the remaining Territories and use the occasion of the midterm review to identify and, if necessary, establish mechanisms for concrete action for the next five years in order to fulfil the objectives set for the Decade.

5. The Chairman of the Special Committee reported that each of the remaining 16 Non-Self-Governing Territories was unique and at a different stage of development. Many of the Territories are small islands in the Caribbean and the Pacific, with low population bases, affected by their remote location, limited natural resources and vulnerability to natural disasters. We agreed on the importance of the role of the United Nations system in assisting the Territories in their efforts to enhance their living standards and develop self-sufficiency in the Territories. We also agreed that it was vital for the Non-Self-Governing Territories, in preparing to decide on their future political status, to have information on any assistance the United Nations

system may be able to make available to them in areas of institution-building, political and civic education, human rights and its work in the field of decolonization. The Special Committee, through its missions to the Territories, most recently to Tokelau and Bermuda, has ascertained that there is considerable interest among the people of the Territories in gaining access to information on the activities of the United Nations on decolonization and on assistance programmes. The Chairman of the Special Committee also expressed concern that only a few of the specialized agencies and international institutions were providing information on their activities in the Territories. There was a lack of a proper mechanism for disseminating information to the Territories.

6. The regional seminars held by the Special Committee in the Caribbean and the Pacific constitute an invaluable opportunity for United Nations programmes and the specialized agencies to meet with representatives of the Territories and exchange views on their developmental needs and aspirations.

7. In conjunction with the Chairman of the Special Committee, I continued consultations on matters relating to the Territories, particularly regarding international assistance on socio-economic issues.

II. Support to Non-Self-Governing Territories by the specialized agencies and the international institutions associated with the United Nations

8. According to the information provided by the specialized agencies and the international institutions associated with the United Nations, during the period under review, a number of the specialized agencies and organizations have continued to provide assistance to the peoples of Non-Self-Governing Territories in response to the relevant resolutions and decisions of the General Assembly, the Economic and Social Council and the Special Committee. A number of organizations have extended or formulated such programmes of assistance from within their own budgetary resources, in addition to their respective contributions as executing agencies of projects funded by the United Nations Development Programme (UNDP), the primary provider of assistance.

9. A number of assistance projects have continued to be funded by UNDP, in close collaboration with other agencies and organizations.

A. Economic Commission for Latin America and the Caribbean

1. Historical and institutional context

10. Pursuant to the provisions of paragraph 3 (a) of the terms of reference and rules of procedure of the Economic Commission for Latin America and the Caribbean (ECLAC), as adopted by the Economic and Social Council,[1] several Non-Self-Governing Territories have been accepted as associate members of ECLAC. The Non-Self-Governing Territories that enjoy the status of associate members of the Caribbean Development and Cooperation Committee are: Anguilla, British Virgin Islands, Montserrat and the United States Virgin Islands. Other associate members are Aruba, the Netherlands Antilles and Puerto Rico.

11. Perhaps the most significant and strategic role played by ECLAC in support of the Non-Self-Governing Territories is the access the Commission affords them to a regional intergovernmental organ, in which full recognition is given to their concerns and general participation. ECLAC has held its annual sessions in two associate members countries: Aruba in 1998 and Puerto Rico in 2004. The Non-Self-Governing Territories are able to promote and advance their developmental aspirations in such forums. The opportunity provided, through access to ECLAC, for the direct participation of the Non-Self-Governing Territories in the United Nations and in global United Nations conferences and their preparatory and follow-up processes is of particular importance to the Territories. Relevant to this development is the adoption by ECLAC, on 27 April 1994, at its twenty-fifth session, of resolution 543 (XXV) in support of the participation of associate members of United Nations regional commissions as official observers at United Nations global conferences.

12. By virtue of the avenues of access referred to above, the Non-Self-Governing Territories are effectively integrated into the technical cooperation programmes of the United Nations system as well as those of other intergovernmental bodies. Overall, these Territories have taken advantage of the opportunities presented to them by means of their integration in the United Nations system. The extent of their participation has been determined, in very large measure, by the degree of interest of the respective Territories in given areas of activity.

13. Within ECLAC, the participation of the Non-Self-Governing Territories is circumscribed only in relation to the formal prescriptions of its terms of reference and rules of procedure, which reflect the basic precepts of international law. The de facto position of these entities, in terms of the scope of their participation, is essentially on par with that of full members, given the absence, within the Commission, of financial quotas to be liquidated and by the fact that decisions are made by consensus. In addition, the Non-Self-Governing Territories are able to host meetings and, as mentioned above, have done so on many occasions.

2. Operational activities: the environment and sustainable development activities

14. The ECLAC secretariat serves its membership through the execution of activities that respond to the constraints, as well as the opportunities, related to the sustainable development of the Caribbean subregion. Among the mandates of the subregional headquarters of ECLAC for the Caribbean is the coordination, within the subregion, of the implementation of the various programmes of action that have been adopted at global summits. Of particular relevance in the context of the Non-Self-Governing Territories of the Caribbean is the Programme of Action for the Sustainable Development of Small Island Developing States, adopted at the Global Conference on the Sustainable Development of Small Island Developing States, which was held in Barbados from 26 April to 6 May 1994. The Programme of Action constitutes a central element of the work of the subregional headquarters of ECLAC for the Caribbean. The plans and programmes of action adopted at other global summits also receive the attention of the Commission, including as they are reflected in the Millennium Development Goals. The central philosophy that informs the activities of the ECLAC secretariat is that of sustainable development, in the context of which the Programme of Action for the Sustainable Development of Small Island Developing States remains a major reference. In the performance of its function as the secretariat of the Caribbean Development and Cooperation

Committee, the subregional headquarters of ECLAC for the Caribbean collaborates with other intergovernmental bodies in the subregion, including the Association of Caribbean States; the Caribbean Community (CARICOM); the Caribbean Development Bank; and the Organization of Eastern Caribbean States.

15. In the coordination of activities for the implementation of the Programme of Action, ECLAC performs two of its major roles, namely, that of bringing the Caribbean regional perspectives, on global problems, including those of the Non-Self-Governing Territories, to the attention of international forums; and of introducing global issues and concerns at regional and subregional levels in the Caribbean.

16. In the context of the implementation of the Programme of Action, the subregional headquarters of ECLAC for the Caribbean undertakes, inter alia, the following activities, from which the associate members of ECLAC, the Non-Self-Governing Territories, derive considerable benefit:

(a) The organization and hosting of meetings of the countries and Territories that fall within its mandate, in order to provide information and identify priorities; the development of subregional consensus; and the preparation of the small island developing States of the Caribbean and the subregion as a whole for their effective participation in global summits and related events, such as the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, held in Mauritius from 10 to 14 January 2005. Similar preparation was also provided for the five-year review of the Programme of Action in 1999 and the World Summit on Sustainable Development in 2002;

(b) Provision of access to the technical assistance programmes of the United Nations and other agencies in the context of a joint work programme whose development and implementation, based on the content of the Programme of Action and related international decisions, are coordinated by the subregional headquarters, in support of the sustainable development of the respective countries and of the subregion as a whole;

(c) Preparation of relevant documentation and studies, including at the request of individual members, including associate members;

(d) Maintaining sustainable development, with its economic, social, and environmental dimensions, as the guiding concept on the development and implementation of the activities of all departments of the subregional headquarters, thus ensuring that the objectives of the plan of action for the second International Decade for the Eradication of Colonialism are effectively addressed.

3. Focus on preparations of Caribbean small island developing States, including the Non-Self-Governing Territories, for the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States

17. Preparations of the Caribbean small island developing States for the Mauritius International Meeting were effectively launched at the joint meeting of the small island developing States of the Caribbean and the agencies members of the Inter-Agency Collaborative Group, which convened in San Juan, Puerto Rico, on 11 April 2003. The meeting, which was sponsored by the subregional headquarters of

ECLAC for the Caribbean, was preceded by the eleventh meeting of the Monitoring Committee of the Caribbean Development and Cooperation Committee, held at the same venue. Specific and focused preparations for the Mauritius International Meeting continued up to the twentieth session of the Caribbean Development and Cooperation Committee in April 2004. The major preparatory event was, however, the Caribbean Regional Preparatory Meeting for the International Meeting, which convened in Trinidad and Tobago, from 6 to 10 October 2003, under the joint auspices of CARICOM, ECLAC and the Department of Economic and Social Affairs of the United Nations Secretariat. Among the Non-Self-Governing Territories participating in that meeting were Anguilla, the British Virgin Islands and the United States Virgin Islands.

18. One of the major inputs into that meeting was the review document produced by the subregional headquarters of ECLAC for the Caribbean, dated 19 September 2003, entitled "Review of the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States in the Caribbean Subregion, 1994-2003". Chapter 5 of that review document was devoted to the "sustainable development problematique" of the British Virgin Islands as a case history from among the Non-Self-Governing Territories. Following an introductory section, subsequent sections of the chapter addressed such issues as: waste management; tourism; planning for development; the environment (incorporating subsections on institutional framework and environmental challenges); disaster management; trade and globalization; the use of illicit drugs, drug trafficking and juvenile crime; and HIV/AIDS.

19. Following the Caribbean Regional Preparatory Meeting, Caribbean small island developing States turned their attention to the international dimensions of the preparatory process, most of which took place at United Nations Headquarters in New York. A caucus of representatives of the Caribbean Development and Cooperation Committee was held in New York on 7 October 2004, in the context of the third round of preparatory informal consultations for the international meeting, which was held from 7 to 11 October 2004. A representative of the United States Virgin Islands participated in that caucus.

4. Preparation of reports, studies and other documentation

20. Some indication of the attention given to issues of concern to the Non-Self-Governing Territories that are associate members of ECLAC is afforded by the coverage in the studies and general publications that are prepared by the subregional headquarters. A selection of those publications prepared since 2001, in which such issues are featured include:

(a) "Meeting the challenges of the Free Trade Area of the Americas: Trade trends, export specialization patterns and regional integration in the Caribbean" (including the case of non-independent Caribbean countries), dated 30 March 2004. Associate members featured in this study were Anguilla, Aruba, the British Virgin Islands, Montserrat, the Netherlands Antilles and the United States Virgin Islands. The study also incorporated references to two other Caribbean Non-Self-Governing Territories, the Cayman Islands and the Turks and Caicos Islands;

(b) "Yachting in the Eastern Caribbean: A regional overview", dated 9 January 2004, which addressed issues of particular relevance to the British Virgin Islands and the United States Virgin Islands;

(c) "Issues, effects and implications of the Free Trade Area of the Americas agreement for CARICOM economies", dated 2 January 2004, presented to the twentieth session of the Caribbean Development and Cooperation Committee, held on 22 and 23 April 2004 in St. Croix, United States Virgin Islands, which addressed issues of particular relevance to the Non-Self-Governing Territories of the British Virgin Islands and Montserrat;

(d) "Economic Overview of Caribbean Countries, 2002-2003", dated 12 December 2003;

(e) "The Organization of Eastern Caribbean States within the Free Trade of the Americas: Issues, effects and implications", dated 30 October 2003, which was prepared by the subregional headquarters of ECLAC at the request of the Organization of Eastern Caribbean States, whose membership includes the Non-Self-Governing Territories of Anguilla, the British Virgin Islands and Montserrat;

(f) "Review of the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States in the Caribbean Subregion, 1994-2003", dated 19 September 2003. This document was recognized as one of the central inputs into the Caribbean Regional Preparatory Meeting for the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, which convened in Trinidad and Tobago from 6 to 10 October 2003. As mentioned above, this document featured the sustainable development experience of the British Virgin Islands, among other countries. The British Virgin Islands was also the subject of a study on marine-based tourism, specifically the yachting sector, the principal objective of which was to address weaknesses in the marine-based tourism sub-sector and to provide the basis for the development of national policies to promote sustainable marine-based tourism;

(g) "Economic Overview of Caribbean Countries, 2001-2002", dated 19 July 2002.

5. Delivery of training workshops and seminars

21. Other forms of support provided to Non-Self-Governing Territories include:

(a) Regional training workshops at the subregional headquarters on the use of the methodology developed by ECLAC for the assessment of the macroeconomic, social and environmental effects of natural disasters. Such workshops envisage the development of a cadre of experts with multidisciplinary skills across the region to facilitate the rapid deployment of assessment teams in the aftermath of natural disasters;

(b) A related training workshop in the British Virgin Islands for representatives of a range of private and public sector agencies including government departments, chambers of commerce and hotel associations, and a number of insurance companies;

(c) Post-disaster assessments have also been conducted, inter alia, in Anguilla and the British Virgin Islands.

B. International Labour Organization

22. The involvement of the International Labour Organization (ILO) in Non-Self-Governing Territories is both of a normative and operational nature.

1. Normative dimension

23. As far as the normative dimension is concerned, the work of ILO focuses on the application and promotion of international labour standards, namely international labour conventions, which are binding, and international labour recommendations, which are non-binding. The conventions have been declared applicable under article 35 of the constitution of the ILO to American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Falkland Islands (Malvinas), Gibraltar, Guam, Montserrat, New Caledonia, St. Helena, Tokelau and the United States Virgin Islands by France, New Zealand, the United Kingdom of Great Britain and Northern Ireland and the United States of America, as appropriate.

24. In the case of the Cayman Islands, Pitcairn, the Turks and Caicos Islands and Western Sahara, no declaration has been made under the above cited article 35 of the ILO constitution. As regards, in particular, the situation of the Cayman Islands and the Turks and Caicos Islands, the United Kingdom informed ILO that consultations are ongoing with the local authorities in view of filing a declaration under article 35.

2. Operative dimension

25. Concerning the operative dimension, the Non-Self-Governing Territories benefit, in the framework of ILO technical cooperation activities, from its technical advisory and information services, and some of them frequently participate in ILO-sponsored subregional meetings and seminars.

26. As a general rule, the Territories are invited to ILO subregional meetings. Officials from ILO also carry out missions to the territories to provide technical assistance and advice.

27. Some recent activities on standards and labour law include:

(a) A workshop on ILO standards and reporting for Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Montserrat and the Turks and Caicos hosted by the Department for Work and Pensions of the Government of the United Kingdom on 2 and 3 December 2004 in Turks and Caicos;

(b) A course on international labour standards for judges, lawyers and legal educators held from 17 to 21 May 2004 in Port of Spain, Trinidad and Tobago, with participants from the Ministry of Labour, Home Affairs and Public Safety of Bermuda; the Crown Counsel, Attorney General's Chambers, Bermuda; and the Cayman Islands School, Grand Cayman, Cayman Islands;

(c) The ILO Caribbean workshop on report writing for Government Officials held in Port of Spain, Trinidad, from 22 to 25 September 2003 and 2001 subregional workshop on international labour standards, in which representatives from the Territories participated;

(d) Individual contact made with each of the Territories concerning reporting and comments from the Committee of Experts;

(e) A mission to the Turks and Caicos to provide assistance and advice on labour legislation;

(f) Comments and assistance concerning legislation provided to Anguilla, Bermuda and the Cayman Islands;

(g) Information and video produced by the subregional ILO Child Labour Project was shared in the subregional meeting on reporting and standards of the United Kingdom Territories.

28. Ministers of Labour and Permanent Secretaries from United Kingdom Territories participate in ILO meetings of labour and labour officials of the Caribbean. The most recent was held in the Bahamas in April 2004.

29. Other activities in the period under review include:

(a) Mission to Anguilla by a senior specialist on industrial relations and labour administration in 2003 for a panel discussion at the policy forum of the Caribbean Centre for Development Administration;

(b) Mission by a senior specialist on industrial relations and labour administration to Bermuda to confer with government officials and social partners on industrial relations and labour administration matters to conduct a national tripartite seminar on labour administration, industrial relations and social partnership;

(c) Mission by ILO senior specialist on human resources development/vocational training to the Cayman Islands to advise on the national action plan, initiated by the Ministry of Education, Human Resources and Culture, on a national vocational training policy for the Cayman Islands; update officials on regional technical and vocational education and training developments in regard to Caribbean vocational qualifications; provide advisory services for the development of policies and guidelines for the introduction of technical and vocational training in the Cayman Islands;

(d) Mission by a senior specialist on entrepreneurship and management development to Montserrat to carry out training for small contractors on the bidding process, taking into account ILO standards;

(e) Participants from the Territories took part in meetings of the Promotion of Management — Labour Cooperation (PROMALCO) project under the ILO Declaration on Fundamental Principles and Rights at Work and consultations concerning productivity centres;

(f) The technical specialist and focal point on HIV/AIDS and the world of work has consulted with the Territories concerning HIV/AIDS projects.

30. The Cayman Islands and Bermuda participated in the activities of the technical cooperation project on Caribbean Labour Market Information System. The Cayman Islands participated in two activities: establishing an occupational wage survey; and establishing a labour market information library. Both the Cayman Islands and Bermuda participated in a conference, which was a major event on policies and implementation of programmes concerning labour market information. The trade unions in Bermuda participated in the seminar under the project on the statistical module for trade unions.

C. Food and Agriculture Organization of the United Nations

31. The Food and Agriculture Organization of the United Nations (FAO) has undertaken a number of sustainable development activities in some of the 16 remaining Non-Self-Governing Territories. The work of FAO on the development challenges faced by small island developing States is relevant to most Non-Self-Governing Territories. FAO assistance to small island developing States has focused principally on support for sustainable development policies and practices in agriculture, rural development, forestry, fisheries and food security. FAO assistance is facilitated by its field offices, including the subregional office for the Caribbean, located in Barbados, and the subregional office for the Pacific Islands, located in Samoa.

32. FAO participated in the interregional conference of small island developing States in preparation for the Mauritius International Meeting, held in the Bahamas from 26-30 January 2004, and provided the meeting with several key documents, underlining economic and social issues of importance to small island developing States: "FAO and SIDS: challenges and emerging issues in agriculture, forestry and fisheries"; and the report and background documents of the Special Ministerial Conference on Agriculture in Small Island Developing States, convened by FAO in Rome, 12 March 1999. The latter includes a plan of action for ensuring the sustainable management of land, water and forest resources and environmental protection of small island developing States. FAO also led a panel on trade and small island developing States at the twelfth session of the United Nations Commission on Sustainable Development (April 2004).

33. FAO made contributions to the Mauritius International Meeting held from 10 to 14 January 2005, including: serving as member of a panel on agriculture trade issues at the interactive panel on trade and economic development, for which FAO also prepared a substantive document; holding an FAO side event on agriculture and sustainable development in small island developing States; participating in the Caribbean/Pacific partnership event on food security in small island developing States; and organizing an FAO exhibit. The FAO delegation to the meeting was led by the Director-General of FAO. FAO is seeking to include small island developing States in the monitoring system to track progress towards the hunger reduction targets formulated by the World Food Summit and in the Millennium Declaration. Recently, the required statistics for Bermuda and New Caledonia were prepared. In November 2005, FAO will convene a special ministerial event on food security and sustainable development in small island developing States.

34. Territories are invited, in some instances, and at their own expense, to participate in FAO subregional workshops on issues such as fisheries. Some of the Territories are also endowed with forest resources. In the framework of the forest resources assessment, FAO has prepared and published reliable information on their forest resources. Under the International Network of Food Data Systems, FAO has carried out food composition-related activities in New Caledonia.

D. Additional replies

35. The following specialized agencies also replied, indicating that at the present time they were not carrying out any assistance programmes in the Non-Self-Governing Territories: the International Monetary Fund; the United Nations Educational, Scientific and Cultural Organization; the World Bank; the United Nations Office on Drugs and Crime; the Office of the United Nations High Commissioner for Refugees; the World Food Programme; and the Organization of American States.

Notes

[1] Membership of the Commission shall be open to members of the United Nations in North, Central and South America, and in the Caribbean area, and to France, the Netherlands, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland. Any territory, or part or group thereof, within the geographic scope of the Commission's work, may, on presentation of its application to the Commission by the member responsible for the international relations of such territory, part or group of territories, be eligible for admission by the Commission as an associate member of the Commission.